THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.11103 OF 2006

Dated: 22nd June, 2006

Between:

Sannayala Sambarajyam

… Petitioner

and

1. The Station House Officer, Nakarikallu Police Station, Nakarikallu, Guntur District and 4 others

… Respondents

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ORAL ORDER: **(per the Hon'ble Sri Justice P.Swaroop Reddy)**

This Writ Petition is taken up on the basis of a telegram, dated 26-05-2006, sent by one Sannayala Sambarajyam, wife of late Rammohan Rao, resident of House No.26-36-53, 3rd Line, Ankammanagar, Guntur, saying about the kidnapping of her married daughter, by name Konduri Sravanthi, aged about 15 years, by one Tatisetty Mallikarjuna Rao, son of Dastagiri and his followers of Nakarikallu Adda Road, Nakarikallu Mandal, Guntur District, on 09-05-2006 at about 8 a.m.; registering a case against the accused, tracing her daughter and the said Mallikarjuna Rao by Police on 22-05-2006 and handing over the said Sravanthi to her; and the Police of Nakarikallu threatening them with dire consequences to withdraw the case filed against the said Mallikarjuna Rao and his followers.

2. In response to the notices issued by this Court in the said Writ Petition, a counter-affidavit has been filed by the Station House Officer, Nakarikallu Police Station, Guntur District, stating that it is not a case of kidnap, that the said girl Sravanthi and her relative Sravani went on their own along with the said Mallikarjuna Rao to Sri Kanaka Durga Temple, Vijayawada, that both the girls were handed over to their respective parents and that the Police never threatened either the petitioner or her son-in-law to withdraw the complaint.

3. On the earlier occasion, this Court directed the Government Pleader for Home representing the learned Advocate

General to produce statement of the said girl Sravanthi. Copies of statements of the alleged kidnapped girl Sravanthi and another girl, by name Pillitla Sravani, daughter of Srinivasa Rao, aged 13 years, resident of Tubadu Village, Nadendla Mandal, are also produced.

4. As per the statement of the alleged kidnapped girl, Sravanthi, she is married to one Konduri Adinarayana in November, 2005, and used to stay with her husband, that one Mallikarjuna used to accost her now and then, that on 09-05-2006 the said Mallikarjuna informed her that he is going to Kanaka Durga Temple at Vijayawada and asked her also to come there, that on 10-05-2006 the alleged kidnapped girl Sravanthi, the other girl Sravani, who is her relative, and the said Mallikarjuna went to Vijayawada, had a darshan of Kanaka Durga Ammavaru and returned back and that without knowing all these facts, their family members gave the report.

5. The other girl, Sravani, had stated that she came to the house of Sravanthi as she is her relative, that herself, Sravanthi and one boy went to Kanaka Durga Temple at Vijayawada and took darshan of the Goddess Kanaka Durga Matha, that they stayed there for two days at the houses of relatives of the said Sravanthi, that the said boy went away and both of them returned back to their place and that without knowing the facts, the son of her father-in-law made a complaint.

6. As the statement of the victim girl do not reveal any offence, there is no possibility of any prosecution against the said Mallikarjuna Rao and there being threats to withdraw the same.

7. In the result, the Writ Petition is closed at the stage of admission.

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D.S.R.VARMA, J

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P.SWAROOP REDDY, J

22nd June, 2006.

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